

1 Central Intelligence Agency. And they didn't want me to say
2 that I worked for the Intelligence Agency. So when we'd go to
3 parties, I would -- somebody would say where do you work? I'd
4 say Bureau of Standards. I never got, I never got another
5 question from anybody. You see.

6 But I mean this, this does exist. And it eventually
7 will be going over to --

8 MR. WAYS DORF: Suitland.

9 JUDGE MILLER: -- Suitland where they will make a
10 microfiche of it.

11 MR. WAYS DORF: Guaranteed not to be public.

12 JUDGE MILLER: And, and it will never, it will never
13 be found again even if somebody wanted. But there are copies
14 of this floating around, and there's nothing I can do about
15 that.

16 MS. WOOLF: That's, that's no problem.

17 JUDGE MILLER: Okay? And that's the reason I, I had
18 said that, you know, when you make or when you start to try to
19 make a record confidential you're in trouble.

20 And I'm not a great believer in executive sessions.
21 And because when you sit down to write a set of proposed
22 findings after you people have filed -- all, all the chairmen,
23 legal assistants that see them, all their staff would see
24 those findings. You know, I mean it, it would be impossible
25 to keep anything confidential once, you know, once you're down

1 the road anyplace at all.

2 Now you're going to have something to me by next
3 Thursday. And I take it that you don't want to proceed any
4 further.

5 MR. HELEIN: That's correct, Your Honor.

6 JUDGE MILLER: All right. I'll, I'll entertain a
7 motion to that effect.

8 MR. WAYS DORF: Your Honor, we'd like to move to
9 continue this proceeding until further order from Your Honor.

10 JUDGE MILLER: Until action has been taken on, on a
11 joint memorandum of settlement that you intend to file with me
12 next Thursday.

13 MR. WAYS DORF: Yes, Your Honor.

14 JUDGE MILLER: Is that, is that an accurate -- of
15 what you want?

16 MR. WAYS DORF: Yes.

17 JUDGE MILLER: All right. Have any comments on
18 that, Mr. Wyatt?

19 MR. WYATT: Well, Your Honor, just a question.
20 Would you expect or want the Bureau to, to submit comments on
21 the proposed settlement in dismissal?

22 JUDGE MILLER: No. Once this memorandum -- make a
23 copy of the memorandum -- the memorandum now, not the joint
24 request. Or make copies of both available to the Bureau. But
25 if you have problems, call me. I'll hear from you. If you

1 don't have any problem, we won't worry about it.

2 MR. WYATT: That's fine with us, Your Honor.

3 JUDGE MILLER: I'll, I'll just simply recite that
4 the copies, copies of the memorandum and the agreement were
5 served on the Bureau, period, and let it go at that. I don't
6 need to, I don't need -- the time I need you is when I'm in
7 trouble, Mr. Wyatt. That's when I need your help.

8 MR. WYATT: Understood, Your Honor.

9 JUDGE MILLER: Okay? Okay. Is there anything
10 further we need to take up today?

11 MR. WYATT: No, Your Honor.

12 MR. HELEIN: No, Your Honor.

13 JUDGE MILLER: We stand adjourned until the events
14 that we have recited on this record have been completed.
15 Thank you.

16 MR. HELEIN: Thank you, Your Honor.

17 MS. WOOLF: Thank you.

18 (Whereupon, at 9:30 a.m., the hearing was
19 adjourned.)
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21
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25

CERTIFICATE OF REPORTER, TRANSCRIBER, AND PROOFREADER

IN THE MATTER OF TMC V. PACIFIC BELL

Name

CC DOCKET NO. 93-161

Docket No.

WASHINGTON, D.C.

Place

OCTOBER 1, 1993

Date

We, the undersigned, do hereby certify that the foregoing pages, numbers 337 through 363, inclusive, are the true, accurate and complete transcript prepared from the reporting by ALICE WEHNER in attendance at the above identified proceeding, in accordance with applicable provisions of the current Federal Communications Commission's professional verbatim reporting and transcription Statement of Work and have verified the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the proceeding and (2) comparing the final proofed typewritten transcript against the reporting or recording accomplished at the proceeding.

October 12, 1993

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Court Reporting Depositions
D.C. Area 261-1992
Balt. & Annap. 974-0947